

REMARKS

Applicant hereby affirms the election of the claims of Group I (claims 1-6 and 13-15), with traverse. It is submitted that the method claims have been amended to be commensurate in scope to the product claims and should be rejoined, as allowable for the reasons set forth below.

Claim 3 has been amended to delete “one of”, thereby obviating the objection to claim 3.

Claims 1, 2, 5, 6 and 14 stand rejected under 35 U.S. C. 102(b) as being anticipated by Bogdanovic et al. (WO 01/68515, referenced as US 2003/0053948 for the purposes of examination equivalent application). Bogdanovic teaches a hydrogen storage material that comprises alkali metals or their hydrides, aluminum and a transition metal organometallic catalyst. Bogdanovic et al. does not anticipate the subject-matter of the claims as proposed since it does not disclose or suggest the alkaline earth metals-particularly a magnesium-containing hydrogen storage material.

The subject-matter of the elected claims is also non-obvious since Bogdanovic discloses exclusively the reversible storage of hydrogen with alkali metal aluminum hydrides or mixtures of aluminum metal with alkali metal hydrides. The disclosure of Bogdanovic et al. does not allow any conclusion as to whether or not organometallic compounds may act as catalysts in magnesium-containing hydrogen storage materials.

The Bogdanovic patent (6,814,782 B2) teaches the use of alkali metals (not alkaline earth metals and certainly not magnesium) or their hydrides and aluminum metal. The disclosure is specific to the alkali metals, and teaches the use of catalysts from the “transition metals or transition metal compounds or alloys of Periodic Table groups 3 to 11 and of the rare earth metals which may be bonded to elements of groups 14 to 17 or to hydrogen. . .” (col. 2, lines 64-67 and col. 3, line 1). This teaching, in effect, teaches away from using any of the alkaline earth metals, particularly magnesium, in group 2 of the Periodic Table.

Since the Bogdanovic patent neither discloses nor suggests the use of a magnesium-containing material, and teaches away from magnesium by reference to essentially all other groups from the Periodic Table,, it is submitted that the rejections based on the Bogdanovic patent should be withdrawn, and the method claims 7-12 and 16-20 should be rejoined with the product claims, and all claims allowed.

It is submitted that all claims are now of proper form and scope for allowance. Early and favorable consideration is respectfully requested.

Dated: December 1, 2008

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